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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES MAZZAMUTO,

No. C 10-02851 WHA

Plaintiff,

v.

**ORDER TO SHOW CAUSE
AND VACATING HEARING**

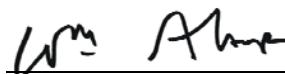
WACHOVIA, NDEX WEST, LLC, and
DOES 1 to 10, inclusive,

Defendants.

On July 29, 2010, defendant Wachovia Mortgage (sued herein as "Wachovia"), a division of Wells Fargo Bank, N.A., re-noticed its motion to dismiss and motion to strike for a hearing on September 23 (Dkt. No. 12). Under the civil local rules, plaintiff James Mazzamuto, who is represented by counsel, was required to file an opposition brief (or a statement of non-opposition) to the pending motions by September 2. It is now September 3, and no opposition brief (or statement of non-opposition) has been filed. Plaintiff is therefore **ORDERED TO SHOW CAUSE** by **NOON ON FRIDAY, SEPTEMBER 10**, why this action should not be dismissed for failure to prosecute or why defendant's motion to dismiss should not be treated as unopposed and granted. The hearing on these motions is **VACATED**.

IT IS SO ORDERED.

Dated: September 3, 2010.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE